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FACSIMILE COMMUNICATION

To: Examiner Daniel St. CYR
Fax #: (703) 746-3964
Re: U.S. Patent Application 10/030,163
From: Justin Cassell
Total pages: 5

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Thank you, BACON & THOMAS, PLLC.

UNOFFICIAL COMMUNICATION

Message:

Dear Examiner St. CYR,

Thank you in advance for taking the time to review the proposed amendments to the claims in the above-application prior to our meeting on November 13 at 2:00 p.m.

During the meeting, we can discuss possible changes to the claims and the cited prior art reference.

Should you have any questions, please feel free to contact me.


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Application No.: 10/030,163

Examiner: Daniel St.CYR

Art Unit: 2876

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APPENDIX OF CLAIMS

1 (Proposed Amendment). A method for biometric authentication of a person, comprising the steps of

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- detecting ~~a person's~~ unique biometric data of a person and storing the detected biometric data as reference data,
 - determining a parameter ~~with reference to the person's individual properties influencing the~~ based on at least one unique physiological property of the person that specifically influence sensory detection of the said biometric data, and storing the determined parameter ~~to be taken into account as a factor in verifying said biometric data~~ in at least one of the following method steps,
 - redetecting the person's biometric data,
 - comparing the redetected biometric data for a match with the reference data, and
 - authenticating the person if the match reaches a degree above a defined threshold value.

2 (Original). A method according to claim 1, characterized in that the determined parameter is taken into account in the step of authenticating the person.

3 (Original). A method according to claim 2, characterized in that the defined threshold value is dependent on the determined parameter.

4 (Previously Presented). A method according to claim 1, characterized in that the determined parameter is taken into account in the step of redetecting the biometric data.

5 (Original). A method according to claim 4, characterized in that the determined parameter is used for adjusting a sensor system for redetecting the biometric data.

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6(Previously Presented). A method according to claim 1, characterized in that the person is granted limited possibilities of activity depending on the determined parameter.

7(Previously Presented). A method according to claim 1, characterized in that the person is granted limited possibilities of activity depending on the degree of the match between the redetected biometric data and the stored reference data.

8(Previously Presented). A method according to claim 1, characterized by the additional step of adapting a sensor system for redetecting the biometric data to the environmental conditions prevailing at the time of redetection.

9 (Original). A method according to claim 7, characterized in that the environmental conditions prevailing during detection of the biometric data as reference data are stored and taken into account when the sensor system is adapted upon redetection of the biometric data to the environmental conditions prevailing at the time of redetection.

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10 (Proposed Amendment). An apparatus comprising a first memory area with a person's biometric data as reference data and a second memory area with a parameter ~~determined with reference to the person's individual properties~~ based on at least one unique physiological property of the person that specifically influencing influence the sensory detection of the said biometric data and is used as a factor in verifying said biometric data.

11 (Original). An apparatus according to claim 10, characterized in that the apparatus is a data carrier, in particular a smart card.

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12(Previously Presented). An apparatus according to claim 10, comprising a third memory area with information on the environmental conditions prevailing during detection of the biometric data contained in the first memory area.

13(Previously Presented). A system comprising

- an apparatus ~~according to claim 10,~~
- a first device for detecting a person's biometric data, and
- a second device for comparing the reference data stored in the first memory area of the apparatus for a match with the person's detected biometric data and authenticating the person if the match reaches a degree above a defined threshold value, at least one of the devices being coupled with the parameter stored in the second memory area of the apparatus.

14 (Original). A system according to claim 13, characterized in that the second memory area of the apparatus with the determined parameter and the device for authenticating the person are coupled by the defined threshold value depending on the determined parameter.

15(Previously Presented). A system according to claim 13, characterized in that the second memory area with the determined parameter and the device for detecting the person's biometric data are coupled by the determined parameter being taken into account during adjustment of a sensor system for detecting the biometric data.

16(Previously Presented). A system according to claim 13, characterized in that the system contains an activity filter which is variable in dependence on the determined parameter.

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17(Previously Presented). A system according to claim 13, characterized in that the system contains an activity filter which is variable in dependence on the degree of the match between the redetected biometric data and the stored reference data.

18(Previously Presented). A system according to claim 13 ~~insofar as dependent on claim 12~~, characterized in that the device for detecting the person's biometric data includes a sensor system which is variably adjustable to the environmental conditions prevailing during detection of the person's biometric data depending on the information stored in ~~the~~ third memory area of the apparatus.

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